

GEORGE W. ALLEN.

[To accompany Bill H. R. No. 822.]

JUNE 6, 1860.

Mr. F. W. KELLOGG, from the Committee on Invalid Pensions, made the following

REPORT.

The Committee on Invalid Pensions, to whom was referred the petition of George W. Allen, report :

That they have examined the evidence in the case, from which it appears, first, by the affidavit of the petitioner, that he is a resident of Towns county, Georgia, aged forty-five, and that he volunteered in the service of the United States as a private in a company commanded by Captain Elijah W. Chastain, in the regiment of Georgia mounted volunteers, under the command of Colonel Charles H. Nelson, in the Florida war, and was honorably discharged about the 1st of July, 1837 ; that while in the service and in the line of his duty near Tampa Bay, about the 1st of March, 1837, he was attacked with chronic dysentery, which disease has continued to the present time ; also, that about the 15th of the same month he was attacked with measles, which confined him to the hospital for several weeks, and from the effects of which he has never recovered ; that his occupation since his discharge has been that of a farmer ; that the reason he has not applied for a pension sooner was that he hoped to recover from the said disabilities.

The Second Auditor writes, under date of May 19, 1860, that the petitioner was mustered into service in Georgia November 20, 1836, for twelve months, and discharged September 23, 1837. The name of George W. Allen appears on the rolls for that period with the following remarks opposite his name, viz : " Not mounted from April 26 to May 15, inclusive." The reason he was denied a pension by the commission is, that " no evidence appears by the muster-roll that he was *absent* from his company during said period of service."

The statements of the petitioner are also corroborated by the affidavit of Alfred But, late second lieutenant of the company of Georgia mounted volunteers ; he also testifies that the petitioner has been and is now an invalid in consequence of said disability incurred in the

service. His present disability and its probable cause, being exposure and the result of a cold while suffering with the measles, is certified to by Doctors G. W. McKay and R. W. Richardson, physicians in good standing in Towns county, Georgia.

Your committee are of opinion that the case is meritorious and fully substantiated, and therefore report a bill granting him a pension of eight dollars per month from the 1st day of January, 1860.

REPORT

The Committee on Invalid Pensions, to whom was referred the petition of George W. Allen, report:

That they have examined the evidence in the case, and find it appears that by the testimony of the witnesses that he is a resident of Towns county, Georgia, aged forty-five, and that he volunteered for service in the United States Army as a private in a company commanded by Captain John W. Allen, in the regiment of Georgia mounted volunteers under the command of Colonel Charles H. Johnson, in the month of August, 1861, and was honorably discharged about the 1st of July, 1861. That while in the service and in the line of his duty, he was attacked with measles, and that he was attended by a physician, and that when released he returned to the present time, and that about the 15th of the same month he was attacked with measles, which detained him in the hospital for several weeks, and from the effects of which he has never recovered; that his condition since his discharge has been that of a invalid, and that the reason he has not applied for a pension is because he has been unable to do so.

The second Article of the Constitution of the United States, in relation to the pensioning of soldiers, reads: "No soldier or sailor shall be paid a pension until he shall have been honorably discharged from the service." The words "honorably discharged" are not defined in the Constitution, but it is the duty of the Congress to define them.

The members of the Committee on Invalid Pensions are of the opinion that the case of George W. Allen is meritorious and fully substantiated, and therefore report a bill granting him a pension of eight dollars per month from the 1st day of January, 1860.